

FILED

APR 15 2008

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MICHAEL W. BOBBINS

CLERK, U.S. DISTRICT COURT

10/10/2007

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOISIN FORMA PAUPERIS APPLICATION  
AND  
FINANCIAL AFFIDAVITTONY SHOULTZPlaintiff PRO SE

v.

WARDEN  
TERRY L. MCCANN

Defendant(s)

CASE NUMBER

08 C 2110

JUDGE \_\_\_\_\_

Wherever ☐ is included, please place an X into whichever box applies. Wherever the answer to any question requires more information than the space that is provided, attach one or more pages that refer to each such question number and provide the additional information. Please PRINT:

I, MR. SHOULTZ, TONY N57945 declare that I am the ☒ plaintiff ☐ petitioner ☐ movant (other: N/A) in the above-entitled case. This affidavit constitutes my application ☐ to proceed without full prepayment of fees, or ☐ in support of my motion for appointment of counsel, or ☒ both. I also declare that I am unable to pay the costs of these proceedings, and that I am entitled to the relief sought in the complaint petition/motion/appeal. In support of this petition application/motion/appeal, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No," go to Question 2)  
I.D. # N57945 Name of prison or jail: STATEVILLE CORRECTION  
Do you receive any payment from the institution? ☒ Yes ☐ No Monthly amount: \$10.00 CENTER  
(WHEN NOT ON LOCKDOWN)
2. Are you currently employed? ☐ Yes ☒ No  
Monthly salary or wages: N/A  
Name and address of employer: N/A
- a. If the answer is "No":  
Date of last employment: 04-1999 to 06-2002  
Monthly salary or wages: \$45.00 INSTITUTIONAL PAINTER  
Name and address of last employer: STATEVILLE CORRECTION CENTER, ROUTE #53, SOLIGNY, ILLINOIS, 60434
- b. Are you married? ☐ Yes ☒ No  
Spouse's monthly salary or wages: N/A  
Name and address of employer: N/A
3. Apart from your income stated above in response to Question 2, in the past twelve months have you or anyone else living at the same residence received more than \$200 from any of the following sources? Mark an X in either "Yes" or "No", and then check all boxes that apply in each category.
  - a. Salary or wages  
Amount: N/A Received by: N/A ☐ Yes ☒ No

- b. ☐ Business, ☒ profession or ☐ other self-employment ☐ Yes ☒ No  
Amount N/A Received by N/A
- c. ☐ Rent payments, ☐ interest or ☐ dividends ☐ Yes ☒ No  
Amount N/A Received by N/A
- d. ☐ Pensions, ☐ social security, ☐ annuities, ☐ life insurance, ☐ disability, ☐ workers' compensation, ☐ unemployment, ☐ welfare, ☐ alimony or maintenance or ☐ child support ☐ Yes ☒ No  
Amount N/A Received by N/A
- e. ☒ Gifts or ☒ inheritances ☐ Yes ☒ No  
Amount \$250.00 OR \$150.00 A MONTH IN PAST TWELVE MONTHS. Received by Ms. EDDIE MAE WARD
- f. ☒ Any other sources (state source: GIFTS) ☐ Yes ☒ No  
Amount \$200.00 Received by ROCHELLE A. MCNEERSON, REV. G. L. S. / 24, FAMILY AND FRIENDS, ON CHRISTMAS HOLIDAY
4. Do you or anyone else living at the same residence have more than \$200 in cash or checking or savings accounts? ☐ Yes ☒ No Total amount: N/A  
In whose name held: N/A Relationship to you: N/A
5. Do you or anyone else living at the same residence own any stocks, bonds, securities or other financial instruments? ☐ Yes ☒ No  
Property: N/A Current Value: N/A  
In whose name held: N/A Relationship to you: N/A
6. Do you or anyone else living at the same residence own any real estate (houses, apartments, condominiums, cooperatives, two-flats, three-flats, etc.)? ☐ Yes ☒ No  
Address of property: N/A  
Type of property: N/A Current value: N/A  
In whose name held: N/A Relationship to you: N/A  
Amount of monthly mortgage or loan payments: N/A  
Name of person making payments: N/A
7. Do you or anyone else living at the same residence own any automobiles, boats, trailers, mobile homes or other items of personal property with a current market value of more than \$1000? ☐ Yes ☒ No  
Property: N/A  
Current value: N/A  
In whose name held: N/A Relationship to you: N/A
8. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute monthly to their support. If none, check here ☒ No dependents  
N/A  
N/A

I declare under penalty of perjury that the above information is true and correct. I understand that pursuant to 28 U.S.C. § 1915(e)(2)(A), the court shall dismiss this case at any time if the court determines that my allegation of poverty is untrue.

Date:

March 17, 2008

Signature of Applicant

Mr. Shoultz, T.  
(Print Name)

\* Monthly average should be lower \*  
(7 months) was given on the Trust Fund Account, instead of six.

NOTICE TO PRISONERS: A prisoner must also attach a statement certified by the appropriate institutional officer or officers showing all receipts, expenditures and balances during the last six months in the prisoner's prison or jail trust fund accounts. Because the law requires information as to such accounts covering a full six months before you have filed your lawsuit, you must attach a sheet covering transactions in your own account--prepared by each institution where you have been in custody during that six-month period--and you must also have the Certificate below completed by an authorized officer at each institution.

## CERTIFICATE

(Incarcerated applicants only)

(To be completed by the institution of incarceration)

6 MTH. AUDIT

(7 MTH. AUDIT DONE)!

09/21/07 - 03/17/08

NEXT TWO PAGES  
(4 and 5), →

I certify that the applicant named herein, SHOULTZ, I.D.# N57945, has the sum of \$ 1.27 on account to his/her credit at (name of institution) STATEVILLE CC.

I further certify that the applicant has the following securities to his/her credit: —. I further certify that during the past six months the applicant's average monthly deposit was \$ 29.33.

\* (Add all deposits from all sources and then divide by number of months).

3-20-08

DATE

SIGNATURE OF AUTHORIZED OFFICER

T. CIRRIGIONE

(Print name)

Time: 8:05am

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## Stateville Correctional Center

## Trust Fund

## Inmate Transaction Statement

REPORT CRITERIA - Date: 09/20/2007 thru End; Inmate: N57945; Active Status Only ? : No; Print Restrictions ? : Yes;  
 Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print  
 Balance Errors Only ? : No

Inmate: N57945 Shoultz, Tony E.

Housing Unit: STA-C -10-47

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
Beginning Balance:							65.92
09/21/07	Disbursements	80 Postage	264390	Chk #136340	g0921055, DOC: 523 Fund Inmate, Inv. Date: 09/21/2007	-.49	65.43
09/21/07	Disbursements	80 Postage	264390	Chk #136340	g0920082, DOC: 523 Fund Inmate, Inv. Date: 09/20/2007	-1.23	64.20
09/21/07	Disbursements	80 Postage	264390	Chk #136340	j920085, DOC: 523 Fund Inmate, Inv. Date: 09/20/2007	-.41	63.79
09/21/07	Disbursements	80 Postage	264390	Chk #136340	g0919091, DOC: 523 Fund Inmate, Inv. Date: 09/19/2007	-.41	63.38
09/21/07	Point of Sale	60 Commissary	2647116	507341	Commissary	-34.16	29.22
09/24/07	Disbursements	80 Postage	267390	Chk #136374	g0921107, DOC: 523 Fund Inmate, Inv. Date: 09/21/2007	-.41	28.81
10/02/07	Disbursements	80 Postage	275390	Chk #136509	j1001308, DOC: 523 Fund Inmate, Inv. Date: 10/01/2007	-.41	28.40
10/03/07	Mail Room	01 MO/Checks (Not Held)	2762164	11786887708	Ward, Eddie Mae	50.00	78.40
10/03/07	Mail Room	01 MO/Checks (Not Held)	2762164	11786887697	Ward, Eddie Mae	50.00	128.40
10/03/07	Mail Room	01 MO/Checks (Not Held)	2762164	11419831721	Shoultz, Vera	25.00	153.40
10/04/07	Point of Sale	60 Commissary	277781	508553	Commissary	-22.62	130.78
10/09/07	Payroll	20 Payroll Adjustment	282190		P/R month of 09/2007	4.42	135.20
10/10/07	Point of Sale	60 Commissary	2837137	509511	Commissary	-79.14	56.06
10/17/07	Point of Sale	60 Commissary	290781	510659	Commissary	-45.76	10.30
10/24/07	Disbursements	80 Postage	297390	Chk #136843	C1019026, DOC: 523 Fund Inmate, Inv. Date: 10/19/2007	-.49	9.81
11/08/07	Point of Sale	60 Commissary	310783	511923	Commissary	-7.98	1.83
11/08/07	Mail Room	01 MO/Checks (Not Held)	3122164	08-749801545	Ward, Eddie Mae	27.00	28.83
11/12/07	Payroll	20 Payroll Adjustment	316190		P/R month of 10/2007	10.00	38.83
11/13/07	Point of Sale	60 Commissary	3177137	513249	Commissary	-11.34	27.49
11/20/07	Point of Sale	60 Commissary	324781	514562	Commissary	-23.83	3.66
11/21/07	Mail Room	01 MO/Checks (Not Held)	3252164	11101346190	Ward, Eddie Mae	50.00	53.66
11/21/07	Mail Room	01 MO/Checks (Not Held)	3252164	11101346201	Ward, Eddie Mae	25.00	78.66
11/22/07	Disbursements	80 Postage	326390	Chk #137269	C1119053, DOC: 523 Fund Inmate, Inv. Date: 11/19/2007	-.41	78.25
12/04/07	Point of Sale	60 Commissary	3387137	515685	Commissary	-8.24	70.01
12/04/07	Disbursements	80 Postage	338390	Chk #137461	g1204040, DOC: 523 Fund Inmate, Inv. Date: 12/04/2007	-11.89	58.12
12/04/07	AP Correction	80 Postage	338590	Chk #137461 Voided	g1204040 - DOC: 523 Fund Inmat	11.89	70.01
12/04/07	Disbursements	80 Postage	338390	Chk #137465	g1204040, DOC: 523 Fund Inmate, Inv. Date: 12/04/2007	-11.89	58.12
12/06/07	Mail Room	01 MO/Checks (Not Held)	3402164	11123363878	Ward, Eddie Mae	50.00	108.12
12/10/07	Point of Sale	60 Commissary	3447142	516699	Commissary	-45.53	62.59
12/12/07	Disbursements	80 Postage	346390	Chk #137575	g1210078, DOC: 523 Fund Inmate, Inv. Date: 12/10/2007	-.90	61.69
12/12/07	Disbursements	80 Postage	346390	Chk #137575	g1210324, DOC: 523 Fund Inmate, Inv. Date: 12/10/2007	-.90	60.79
12/12/07	Disbursements	88 pair of black koss TD65 stereo headphone	346390	Chk #137588	C1210023, Koss, Inv. Date: 12/10/2007	-6.00	54.79
12/12/07	Payroll	20 Payroll Adjustment	346190		P/R month of 11/2007	8.84	63.63
12/14/07	Disbursements	84 Library	348390	Chk #137608	C1212167, DOC: 523 Fund Librar, Inv. Date: 12/12/2007	-.25	63.38
12/14/07	Disbursements	80 Postage	348390	Chk #137609	g1212044, DOC: 523 Fund Inmate, Inv. Date: 12/12/2007	-.41	62.97
12/14/07	Disbursements	80 Postage	348390	Chk #137609	C1212004, DOC: 523 Fund Inmate, Inv. Date: 12/12/2007	.41	63.38
12/18/07	Point of Sale	60 Commissary	3527142	518364	Commissary	-52.41	10.97
12/28/07	Mail Room	01 MO/Checks (Not Held)	3602164	R100836086384	Ferguson, Oma	10.00	20.97

## Stateville Correctional Center

Time: 8:05am

## Trust Fund

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## Inmate Transaction Statement

REPORT CRITERIA - Date: 09/20/2007 thru End; Inmate: N57945; Active Status Only ? : No; Print Restrictions ? : Yes;  
 Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print  
 Balance Errors Only ? : No

Inmate: N57945 Shoultz, Tony E.

Housing Unit: STA-C -10-47

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
12/27/07	Mail Room	01 MO/Checks (Not Held)	3612164	11128724065	Mom, No Name	25.00	45.97
12/28/07	Disbursements	80 Postage	362390	Chk #137927	g1220040, DOC: 523 Fund Inmate, Inv. Date: 12/20/2007	-.41	45.56
01/03/08	Point of Sale	60 Commissary	003783	519797	Commissary	-35.22	10.34
01/04/08	Mail Room	01 MO/Checks (Not Held)	0042164	418585974	VCM Bethel AME, Church	10.00	20.34
01/04/08	Mail Room	01 MO/Checks (Not Held)	0042164	348003	Lasley, Gerald	36.00	55.34
01/08/08	Mail Room	01 MO/Checks (Not Held)	0082164	11949733416	Ward, Eddie Mae	50.00	105.34
01/08/08	Mail Room	01 MO/Checks (Not Held)	0082164	11949733427	Ward, Eddie Mae	50.00	155.34
01/08/08	Disbursements	93 R & C - UPS	008390	Chk #138025	w80107 019, Central Inmate Ben, Inv. Date: 01/07/2008	-4.54	150.80
01/08/08	Disbursements	80 Postage	008390	Chk #138042	C0107147, DOC: 523 Fund Inmate, Inv. Date: 01/07/2008	-.41	150.39
01/09/08	Payroll	20 Payroll Adjustment	009190		P/R month of 12/2007	8.16	158.55
01/11/08	Disbursements	80 Postage	011390	Chk #138101	g0109047, DOC: 523 Fund Inmate, Inv. Date: 01/09/2008	-.82	157.73
01/11/08	Point of Sale	60 Commissary	0117142	520875	Commissary	-39.93	117.80
01/16/08	Disbursements	80 Postage	016390	Chk #138263	g0115024, DOC: 523 Fund Inmate, Inv. Date: 01/15/2008	-.82	116.98
01/18/08	Mail Room	01 MO/Checks (Not Held)	0182175	11786920020	Ward, Eddie	50.00	166.98
01/21/08	Point of Sale	60 Commissary	021720	522385	Commissary	-82.07	84.91
01/24/08	Disbursements	80 Postage	024390	Chk #138419	C0123024, DOC: 523 Fund Inmate, Inv. Date: 01/23/2008	-.41	84.50
01/24/08	Disbursements	80 Postage	024390	Chk #138419	g0117001, DOC: 523 Fund Inmate, Inv. Date: 01/17/2008	-11.60	72.90
01/24/08	Mail Room	01 MO/Checks (Not Held)	0242175	11420033837	Shoultz, Vera	25.00	97.90
01/29/08	Point of Sale	60 Commissary	0297142	523271	Commissary	-30.32	67.58
02/08/08	Payroll	20 Payroll Adjustment	039190		P/R month of 01/2008	10.00	77.58
02/13/08	Disbursements	88 fee for local rules	044390	Chk #138777	C0211036, U.S. District Court., Inv. Date: 02/11/2008	-10.50	67.08
02/13/08	Disbursements	88 tithes & advent offerings	044390	Chk #138783	C0211023, Rev. Dr. Jeremiah A., Inv. Date: 02/11/2008	-50.00	17.08
02/18/08	Point of Sale	60 Commissary	049783	526394	Commissary	-10.06	7.02
03/04/08	Mail Room	01 MO/Checks (Not Held)	0642175	11786926386	Ward, Eddie	50.00	57.02
03/10/08	Point of Sale	60 Commissary	0707142	528697	Commissary	-53.61	3.41
03/10/08	Payroll	20 Payroll Adjustment	070190		P/R month of 02/2008	9.86	13.27
03/17/08	Point of Sale	60 Commissary	077783	529820	Commissary	-12.00	1.27

Total Inmate Funds: 1.27

Less Funds Held For Orders: .00

Less Funds Restricted: .00

Funds Available: 1.27

Total Furloughs: .00

Total Voluntary Restitutions: .00